

# NEW JERSEY MILITIA NEWSLETTER

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## THE ACLU's POSITION ON THE SECOND AMENDMENT

*"The Second Amendment was never intended as a gun license for the entire American populace. As originally drafted--and as consistently interpreted by the courts for more than a century--the Amendment does not grant any blanket right to own a gun nor does it stand in the way of rational, effective gun control. The idea of gun ownership as an American birthright is nothing more than a myth." So says the American Civil Liberties Union. To add insult to injury they profess to "...hold the U.S. Constitution and the Bill of Rights in the highest regard."*

Here's a Q & A session concerning gun ownership we found on the ACLU's web page that pretty much speaks for itself. Steve Silver, vice-president of The Lawyer's Second Amendment Association, Inc., has written a rebuttal to many of the ACLU claims and we'll quote him from time to time for a balance of truth.

\* \* \* \* \*

**Q.** The Second Amendment says "the right of the people to keep and bear arms shall not be infringed." Doesn't it mean just that?

**A.** There is more to the Second Amendment than just the last fourteen words. Most of the debate on the Amendment has focused on its first phrase: "A well regulated Militia, being necessary to the security of a free State..." And to dissect the Amendment is to destroy its context.

[Note: We dealt with this very issue extensively in our April 1999 newsletter. Suffice to say, "A well regulated Militia, being necessary to the security of a free State..." is the preamble to the Second Amendment, not the right itself. Preambles have no legal status or authority in law; they are cited for clarification purposes only. A preamble can never supplant or override the right or law it introduces. Unfortunately, this is precisely what the courts--with the blessings of the ACLU--are doing. The ACLU notwithstanding, if the preamble were to be "dissected" from the right,

the courts would be forced to hand down honest interpretations of the Second Amendment. We know of no other area of law, be it rights, codes, statutes, or whatever, where the preamble is used to override the legislative act it introduces. It only occurs with the Second Amendment. It is so brazenly illegal that it boggles the mind. --Ed].

The ACLU continues: While some scholars have suggested that the Amendment gives individuals the constitutional right to bear arms, still others have argued for discarding the Amendment as irrelevant and out of date.

[Note: The statement is deceptive. Notice how the ACLU doesn't cite numbers here? How many pro, how many con? Here's the reason: *"Of the forty-two law review articles which addressed the Second Amendment since 1980, all but five concluded it guaranteed an individual right. Of the five, three were written by 'researchers' hired by anti-gun groups, and one was written by a politician!"* --Silver.]

However, the vast [vast?] majority of constitutional experts agree that the right to keep and bear arms was intended to apply only to members of state-run, citizen militia.

*"Under the 10th Amendment, 'powers' not delegated to the federal government are reserved to the States, or to the people. States have no 'rights.' Only the people -- only American citizens -- have 'rights'.*

*"A right is a fundamental quality of life which resides in each individual, such as life, liberty and the pursuit of happiness. Indeed, it was due to the British Crown's disregard of the American's inalienable rights which gave rise to the Declaration of Independence.*

*"Certainly, states cannot enjoy the rights of life, liberty and the pursuit of happiness (just as its liberty cannot be taken away by incarceration), and a state cannot pursue happiness. Only individuals can exercise these 'rights.'*

*"In short a 'collective' right is not a right at all. It is simply a 'power.' Since the Second Amendment guarantees a 'right' of the people, by definition it is a right which may be*

*exercised only by individual citizens, and not by states."* --Silver]

**Q.** If it doesn't guarantee the right to own a gun, why was the Second Amendment included in the Bill of Rights?

**A.** When James Madison proposed the Bill of Rights in the late 1780s, people were still suspicious of any centralized federal government. Just 10 years earlier, the British army had been an occupying force in Colonial America--enforcing arbitrary laws decreed from afar.

After the Revolutionary War, the states insisted on the constitutional right to defend themselves in case the fledgling U.S. government became tyrannical like the British Crown. The states demanded the right to keep an armed "militia" as a form of insurance.

**Q.** What exactly is "a well regulated militia?"

**A.** Militias in 1792 consisted of part-time citizens-soldiers organized by individual states. Its members were civilians who kept arms, ammunition and other military equipment in their houses and barns--there was no other way to muster a militia with sufficient speed.

Over time, however, the state militias failed to develop as originally anticipated. States found it difficult to organize and finance their militias and, by the mid-1800s, they had effectively ceased to exist. Beginning in 1903 Congress began to pass legislation [the Dick Act] that would eventually transform state militias into what is now the National Guard.

[Note: This assertion is so ridiculous it's laughable, and, if true, would represent the greatest non sequitur in the history of the Congress. According to the sages of the ACLU the National Guard now represents the militia cited in the Second Amendment. Accordingly, if you want to join the militia you must join the National Guard. If this is true why did Congress enact USC, Title 10, Section 311 (a), which declares that all able bodied men between the ages of 17 to 45 are in the militia? This provision from the 1792 Militia Act was re-codified by Congress in 1955--a full 52 years after the Dick Act was passed! If the ACLU is correct, we now have two legal militias in the U.S: members of the National



Guard and all able bodied males between the ages of 17 to 45 who are *not* in the National Guard. If the National Guard represents the Second Amendment militia there would be no need for 10 USC 311(a). You'll notice that the ACLU conveniently neglected to make mention of this Code in their article. A small oversight on their part--Ed].

ACLU: Today, the National Guard--and Army Reserve--are scarcely recognizable as descendants of militias of the 1790s. The National Guard and Reserve forces, in fact, do not permit personnel to store military weapons at home. And many of today's weapons--tanks and armored personnel carriers -- are banned for use by individuals.

***["Since the inescapable meaning of the language used in the Second Amendment is that individuals have a right to own firearms, the ACLU has little choice but to fall back on the argument the Amendment was intended only to provide for a militia. If so, it has been said this is the biggest secret in history because there is not a single shred of evidence from the Constitutional Convention which supports this proposition. Gun control proponents have yet to identify even a single quote from one of the founders to support their claim."--Silver].***

**Q.** Does the Second Amendment in any way guarantee gun rights to individuals?

**A.** No. The weight of historical and legal scholarship clearly shows that the Second Amendment was intended to guarantee that states could maintain armed forces to resist the federal government.

***["Even the American Bar Association had to acknowledge in its 1965 article 'The Lost Amendment,' that the Second Amendment guarantees an individual right."--Silver].***

Most scholars overwhelmingly concur that the Second Amendment was never intended to guarantee gun ownership rights for individual personal use. [Note: we've already shown that the exact opposite is true. To prove it to yourself, do a web search on the phrase "Second Amendment." You'll soon realize that the ACLU is lying through their teeth]. Small arms ownership was common when the Bill of Rights was adopted, with many people owning single-shot firearms for hunting in what was then an overwhelmingly rural nation.

***["By contrast, there is a plethora of evidence and quotations from the Framers which make it absolutely clear they intended the Second Amendment to recognize an individual right. The ACLU's 'collective' right theory is a creation of the 20th Century; it was unheard of in the 1700s."--Silver].***

**Q.** Does the Second Amendment authorize Americans to own any firearms they feel they may need?

**A.** Clearly, no. The original intent of the Second Amendment was to protect the right of states to maintain militias. Private gun ownership that is not necessary to the maintenance of militia is not protected by the Second Amendment.

***["Indeed, the Framers were themselves armed with state-of-the-art military weapons. And we know what happened to the British when they were foolish enough to suggest that the American colonialist did not have the right to keep and bear arms."--Silver]***

**Q.** Does the Second Amendment allow government to limit--even prohibit--ownership of guns by individuals?

**A.** Yes. Federal, state and local governments can all regulate guns without violating the Second Amendment.

State authorities have considerable powers to regulate guns. The federal government can also regulate firearms ownership, although some scholars believe the federal power may not be as extensive as that of an individual state.

California, for example, has limited the ability of local governments to regulate firearms. While the state has kept its broad regulatory power, cities and counties can only prohibit guns from being carried in public places.

**Q.** How have the courts--particularly the U.S. Supreme Court--interpreted the Second Amendment?

**A.** The Supreme Court has flatly held that the individual's right to keep and bear arms "is not granted by the Constitution."

***["The ACLU frequently asserts we should ignore the Amendment's plain meaning because no court has expressly said the Amendment guarantees an individual right.***

***"This statement is basically true [because the right to bear arms pre-dates the Constitution]. But it also poses a fundamental problem: Where do our rights come from and can they be eliminated? For if rights can be eliminated, then they are not inalienable."--Silver.]***

Note: Even Justice Scalia would agree with Silver on this point. Scalia was quoted in a law article by Stanford Levinson, "Few tears would be shed if and when the Second Amendment is held to guarantee nothing more than the state National Guard, but this would simply show that the Founders were right when they feared that some future generation might wish to abandon liberties that they considered essential, and so sought to protect those liberties in a Bill of Rights. We may tolerate the abridgment of property rights and the elimination of a right to bear arms; but we should not pretend that these are not reductions of rights."

Scalia also said, "*Dispassionate scholarship suggests quite strongly that the right of the people to keep and bear arms meant just that.*"

In the four cases in which the high court has addressed the issue, it has consistently held that the Second Amendment does not confer a blanket right of individual gun ownership.

The most important Supreme Court Second Amendment case, *U.S. v. Miller*, was decided in 1939. It involved two men who illegally shipped a sawed-off shotgun from Oklahoma to Arkansas, then claimed the Second Amendment prohibited the federal government from prosecuting them.

***["The ACLU relies primarily upon U.S. v. Miller, 307 US 174 (1939), to support its 'collective' right theory. Unfortunately, the Miller case is a prime example of the age old adage, 'bad facts make bad law.' In Miller, the Court held the 1934 National Firearms Act's ban on short barreled shotguns was Constitutional because no evidence before the Court indicated such weapons had a military purpose. There was no evidence to the contrary before the court because Mr. Miller had apparently died prior to the hearing. Thus, only the federal government offered evidence at the hearing.***

***"It certainly appears likely the ruling would have been different had there been two sides presenting evidence."--Silver].***

The court emphatically disagreed, ruling that the Second Amendment had the "obvious purpose" of creating state militias, not of authorizing individual gun ownership. In two earlier rulings in 1876 and 1886, the Supreme Court held that the Second Amendment affected only the federal government's power to regulate gun ownership and had no effect on state gun control powers. Those cases, *Presser v. U.S.* and *U.S. v. Cruikshank*, formed the bases for the continuing legal decisions that the Second Amendment is not an impediment to rational gun control.

***["In the often-cited cases of Cruikshank v. U.S. and Presser v. Illinois, 1875 and 1885, respectively, the Supreme Court stated the Second Amendment did not create a right. Rather, the court expressly recognized a pre-existing right to keep and bear arms.***

***"Under the Court's interpretation, Americans' right to keep and bear arms did not come from the Second Amendment. This is where the ACLU's analysis stops. However, the ACLU always ignores the Court's statement that the Amendment simply recognizes a pre-existing right.***

***"It is also significant that in both cases, the Court noted the Amendment precluded Congress from enacting any gun control laws. This point is also important, but is overlooked by the ACLU. It is important because the***

***"I love the Union and the Constitution, but I would rather leave the Union with the Constitution than remain in the Union without it"***  
***--Jefferson Davis***



**Court recognized the Second Amendment precludes any regulation of firearms by Congress.**

***"The question for the ACLU, then is: In view of Presser, Cruikshank and Miller, what is Congress' authority to ban so-called assault rifles? The answer: There is none." --Silver].***

ACLU: In another case the Supreme Court declined to review, a federal appeals court in Illinois ruled that the Second Amendment could not prevent a municipal government from banning handgun possession. In the case, *Quilici v. Village of Morton Grove*, the appeals court held that contemporary handguns couldn't be considered as weapons relevant to a collective militia. [Unlawfully invoking the preamble again. --Ed].

**Q.** The National Rifle Association (NRA) says the Second Amendment guarantees our right to keep and bear arms. Has the NRA got it wrong?

**A.** Like any powerful special interest, the NRA works to secure its financial well being. It insists on a view of the Second Amendment that defies virtually all court decisions and contradicts findings of most legal scholars. In doing so, the NRA actively perpetuates a seemingly endless cycle of gun-related fatalities.

The NRA intimidates politicians because it is very well financed and, like any wealthy single-issue special interest, can muster considerable pressure and scare tactics.

Other voices have recently begun to be heard, however, including the health community, civil rights and civil liberties organizations and groups committed to women's, children's and family rights.

The NRA implies that the Bill of Rights forces us to accept unlimited gun ownership and tolerate the human tragedies that guns cause in our society. That simply isn't true.

**Q.** What are the Second Amendment positions of the American Civil Liberties Union and the ACLU of Southern California?

**A.** For decades, both the national ACLU and its Southern California affiliate [whose Hollywood personalities provide much of the funding for the national office] have agreed that the Second Amendment guarantees only the rights of the states to maintain militias. The national ACLU has urged caution over gun control laws that, though well intended, might infringe on other civil liberties. The ACLU of Southern California believes effective gun control--especially of handguns and assault weapons--is essential to curbing the escalating violence in our society. (End).

Closing note: A good description of the current mind set of our judiciary and the ACLU comes from Johann Hamann, who wrote, ***"We are now so stultified in our thinking and so priggish in our expressions that it becomes unavoidably offensive to tell the truth."***

## **BILL TO REGULATE GUN MANUFACTURING**

The Firearms Safety and Consumer Protection Act "...would have the power to restrict guns that pose an unreasonable risk of death or injury, and set a penalty of \$500 for civil violations of the act," reported *Fox News*.

***"It's outrageous that our government is powerless to regulate this industry and is unable to warn consumers of the risks which guns may pose,"*** said Sen. Ted Kennedy. The bill is backed by NJ's very own Senator Robert Torricelli and Rep. Patrick Kennedy of Rhode Island.

The bill would allow the federal government to "...regulate the manufacture and sale of guns, develop safety standards and evaluate product safety."

## **CLEVELAND JOINS SUIT AGAINST GUN MAKERS**

Cleveland is the latest city to file suit against gun makers. ***"The industry has failed in its duty to make a safer gun and as a direct result the city of Cleveland has been forced [forced?] to spend a tremendous amounts of money dealing with the gun industry's failure,"*** said Cleveland Mayor Michael R. White.

Jack Adkins, director of operations at the American Shooting Sports Council, Inc., thinks differently. ***"It's hard to fathom why the industry is responsible if the consumer chooses not to use devices that are currently--and have been--available."*** Mr. Adkins is correct. Trigger locks are readily available at any sporting goods store and are relatively inexpensive. The suit is against seventeen gun manufacturers (for "unspecified damages"), and three trade associations.

If the truth were known firearms on balance have saved cities money. The cost of policing and medical care would be higher if armed citizens didn't protect themselves.

## **FIREARMS HERITAGE PROTECTION ACT OF 1999**

Not all the news about firearms is negative these days. Consider H.R. 1032 introduced to Congress and supported by Representatives Barr, Delay, Boucher, Young, Goode, Collins, Barcia, Sessions, Burton, Emerson, Pickering, Bass, Sweeny, Blunt, Hall, Norwood, Chambliss, Isakson, Chenoweth, Hayworth, Skeen, Stearns, Latham, Watkins, Linder, Tancredo and Hefley.

**A BILL:** To prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others.

This Act may be cited as the Firearms Heritage Protection Act of 1999.

(a) **FINDINGS:** The Congress finds he following:

(1) Citizens have a right, under the Second Amendment to the United States Constitution, to keep and bear arms.

(2) Lawsuits have been commenced against manufacturers, distributors, dealers, and importers of non defective firearms, which seek money damages and other relief for the harm caused by the misuse of firearms by third parties, including others.

(3) The manufacture, importation, possession, sale, and use of firearms and ammunition in the United States is heavily regulated by Federal, State, and local laws. Such Federal laws include the Gun Control Act of 1968, the National Firearms Act, and the Arms Export Control Act.

(4) Businesses in the United States that are engaged in interstate and foreign commerce through the lawful design, marketing, distribution, manufacture, importation, or sale to the public of firearms or ammunition that have been shipped or transported in interstate or foreign commerce are not, and should not be, liable for the harm caused by those who criminally or unlawfully misuse firearm products or ammunition products.

(5) The possibility of imposing liability on an entire industry for harm that is the sole responsibility of others is an abuse of the legal system, erodes public confidence in our Nation's laws, threatens the diminution of a basic constitutional right, invites the disassembly and destabilization of other industries and economic sectors lawfully competing in America's free enterprise system, and constitutes an unreasonable burden on interstate and foreign commerce.

(6) The liability actions commenced or contemplated by municipalities and cities are based on theories without foundation in hundreds of years of the common law and American jurisprudence. The possible sustaining of these actions by a maverick judicial officer would expand civil liability in a manner never contemplated by the Framers of the Constitution. The Congress further finds that such an expansion of liability would constitute a deprivation of the rights, privileges, and immunities guaranteed to a citizen of the United States under the Fourteenth Amendment to the United States Constitution.

(b) **PURPOSE:** The purposes of this Act are as follows:

(1) To prohibit causes of action against manufacturers, distributors, dealers, and importers of firearms or ammunition products from the harm caused by criminal or unlawful misuse of firearm products or ammunition products by others.

(2) To preserve a citizen's access to a supply of firearms and ammunition for lawful purposes, including hunting, self-defense, collecting, and competitive or recreational shooting.



(3) To guarantee a citizen's rights, privileges, and immunities, as applied to the States, under the Fourteenth Amendment to the United States Constitution, pursuant to section five of that Amendment.

### Sec. 3. PROHIBITION ON BRINGING OF QUALIFIED CIVIL LIABILITY ACTIONS IN FEDERAL OR STATE COURT.

(a) IN GENERAL: A qualified civil liability action may not be brought in any Federal or State court.

(b) DISMISSAL OF PENDING ACTIONS: A qualified civil liability action that is pending on the date of the enactment of this Act shall be dismissed immediately by the court in which the action was brought.

Note: There's more, but this gives you an idea of what the bill is about and all of us should give it our full support.

## PUTTING A CURB ON EXECUTIVE ORDERS

*"The president has in effect made himself a 'super-legislator' by issuing executive orders that require the appropriation of funds. We must reverse this trend and fulfill our constitutional duty. This vital legislation reasserts the role of Congress to enact legislation and appropriate federal dollars,"* said Rep. Jack Metcalf (R-Wash).

A proposed resolution, HCR 30, which is long overdue, was brought about by Pres. Clinton's E.O. 13061, the American Heritage Rivers Initiative, which named ten rivers (later raised to fourteen -- by another E.O.) that supposedly need "federal protection". E.O. 13061 would fund the project with monies appropriated for another purpose. This is a clear violation of Article I, Section 8, of the Constitution which gives Congress--and Congress alone--the federal check book. The president doesn't have the authority to sign his own pay check much less allocate federal spending for rivers.

"Metcalf discovered that the Snohomish River in his district had been nominated without his knowledge or consent, but with support of local government officials who had been promised funding by federal agents," reported the *WorldNetDaily*.

Said Lew Moore, Metcalf's chief of staff, *"In essence, what they [the local officials] told us was that the federal government was going to issue regulations or in some way use its police powers to 'protect' the river -- along with funding. This was the pitch to these people to support the initiative. They don't realize that they were taking the first steps toward having the Feds driving local land use policy. And of course, they were promised that the funding would be sent from the various agencies to assist in this effort."*

*"This means that the funding would be rerouted from one purpose to another. As an example, where money might have been appropriated for U.S. Fish and Wildlife for*

*various programs, not a dime has been appropriated by Congress for the American Heritage Rivers Initiative."*

Clinton has signed 279 E.O.s to date.

## 2nd AMENDMENT SOON TO BECOME A FELONY IN TEXAS?

The state of Texas is considering S.B. 1723 "...relating to paramilitary organizations; providing criminal penalties."

"Paramilitary Organization" applies to two or more persons who "engage in or conspire to engage in military instruction or training for the purpose of causing physical injury or property damage through warfare or sabotage."

## WHITES NOW A MINORITY IN CALIFORNIA

According to an article by Dale Maharidge, 1998 was the unofficial turning point in California when the white population fell under 50%. Unofficial because there are 500,000 immigrants waiting to be processed by the United States Immigration and Naturalization Service. Once this process is completed, whites will become a minority race.

## CLINTON DROPS "THE BALL"

WASHINGTON, April 24 (UPI) -- The White House said President Clinton departed the NATO summit so suddenly that he left behind the military aide carrying the briefcase containing U.S. nuclear launch codes known as "the football." A White House spokesman nevertheless said there was never any security breach, as the president travels with two military aides, and the one carrying the football walked the several blocks back to the White House.

Note: Someone asked "Don't they still rob and shoot people in Washington, DC?"

## IF JESUS WERE HERE TODAY...

He would be wanted by:

- \*The BATF for turning water into wine without a license.

- \*The EPA for killing a fig tree.

- \*The AMA for practicing medicine without a license. [Note: Oral Roberts was once threatened with arrest for healing people during his ministry, i.e., practicing medicine without a licence--no joke. --Ed].

- \*The Department of Health for asking people to open graves.

- \*The NEA for teaching without a license.

- \*The SPCA for driving hogs into the sea.

- \*The NOW [Non-Orgasmic Women] for not choosing a woman apostle.

- \*The Inter Faith Movement for condemning all other religions.

- \*The National Board of Psychiatrists for giving advice on how to live a guilt-free life.

It should also be noted that it would be a federal offense for Jesus to speak in any public school in the country.

## ANOTHER REASON TO HATE THE UN

"Women may be able to turn to the United Nations with complaints of discrimination, sexual harassment and other violations of their rights as soon as next year. For the first, a procedure has been drawn up to allow women to file complaints with the United Nations on violations of a 1979 convention barring abuses against women," reported the AP March 16, 1999.

*"This is a major success for women around the world. They will finally be able to take their complaints and grievance to the U.N. in case they cannot get remedies within their own local judicial systems,"* said Patricia Flor, chairperson of the U.N. Commission on the Status of Women.

After four years of negotiations the treaty was signed by 163 "member states" and will allow the U.N. to conduct its own investigations.

## HAS IT COME TO THIS?

South Carolina is proposing a law against the selling of urine. That's right folks, seems the war on drugs is heating up and the powers-that-be don't want any sleight of hand--or something like that--when it comes to drug testing.

The bill was introduced by State Senator David Thomas (R-Greenville). It's designed to prevent *"...defraud at a drug screening."* It claims *"the safety of the public is at stake here."*

A violation would carry a 5-year prison term. This demonstrates a classic example of the cure being worse than the disease: If someone fails the drug test the very worst that could happen is a loss of job. Would you rather lose your job or spend 5 years in jail?

Libertarian Party spokesman Bill Winter said, *"The sanity of the politicians is at stake here. Just when you think the politicians can't get any more preposterous, they launch a War on Urine."*

*"Who would have guessed that the War on Drugs would lead to the War on Urine? But it makes perfect sense."*

*"First, the government makes drugs against the law. But, unlike crimes of violence, drug use is a consensual crime--there is no victim to file a complaint with the police. So how does the government catch these so called criminals?"*

*"It's easy: The government starts mandating more drug tests to trap the offenders. But people who are threatened by these laws make it their business to know the regulations and how to circumvent them. So people quickly figure out ways to get around the drug tests, and businesses quickly crop up to cater to them."*

*"What happens next? The same thing that always happens. Politicians propose more*



laws. In this case, it's a law against bootleg urine. And the cycle continues.

*"With every new law they pass, the government gains more power, the penalties get more severe, the jails get more crowded, and the intrusions into your private life grow greater. That's the true cost of giving government the power to prosecute victimless crimes."*

We've already found a loophole in this law: It says "buy or sell" but nothing about giving it away free.

## SOME MILITARY REFUSING THE ANTHRAX VACCINATION

"Twenty-three sailors aboard the aircraft carrier *USS Theodore Roosevelt* have been demoted, fined and given extra duty for refusing to take mandatory anthrax vaccinations," reported the AP March 11, 1999.

The article revealed that about two dozen Marines on Okinawa have also refused.

Navy Captain Michael Doubleday, a Pentagon spokesman, said that "Less than 1 tenth of 1 percent" of 218,000 troops have refused the shots.

## BUCHANAN RIPS CLINTON OVER COLORADO SHOOTING

Perennial GOP presidential candidate Pat Buchanan has issued a scathing denunciation of President Clinton's recent remarks concerning the high school massacre in Littleton, Colorado.

*"It is profoundly regrettable that the president has chosen to exploit the horrific premeditated massacre at Littleton, once again scapegoating sportsmen, hunters and other law-abiding Americans who use their guns for pleasure or personal family safety,"* said Buchanan.

*"It calls to mind again Mr. Clinton's effort to divert blame for the massacre in Oklahoma City to conservatives and Republicans who were criticizing big government. Those brutal and nihilistic killers in Colorado violated 19 federal and state gun and explosives laws. To suggest that the passage by Congress of 20th, 21st, or 22nd might have prevented this atrocity is delusional and demagogic."*

Mr. Buchanan added: *"At a time when America desperately needs to hear an authentic voice of moral authority from the White House, the office is regrettably occupied by a draft dodger in the cultural war for the soul of America."*

--Washington Times, April 24, 1999

## THE LITTLETON MASSACRE

### POLL

### WHO'S TO BLAME?

Time magazine recently conducted a poll on their web page about the Littleton massacre.

Question: Which one of the following do you think is the most to blame for the Littleton school massacre?

\*Games, movies: TV. 15.15%.

\*Firearms availability: 13.72%.

\*Parents: 36.18%.

\*Police: 4.78%.

\*School officials: 5.29%.

\*Goth culture: 3.98%.

\*Random evil: 28.39%

Note: Time's percentages total 107.49%.

We'd heard they're sloppy but this is ridiculous.

## UPDATE ON TWA FLIGHT 800

David M. Bresnahan of *WorldNetDaily* writes that "Portions of a missile used to shoot down TWA Flight 800 have been recovered by the FBI, but have been secreted away according to one military investigator."

Bresnahan reported that both the FBI and the National Transportation Safety Board "...knew from the beginning that the evidence and eyewitness reports pointed to a scenario that the commercial flight with 230 people on board was brought down by a missile," probably a Stinger given to the Afghans during their war with the Soviet Union.

William S. Donaldson, a retired naval officer and former military crash investigator was the first to claim that Flight 800 was brought down by a missile. Donaldson interviewed 100 people who claimed they saw a missile rise off the water towards the aircraft. The witness' locations, 19 aboard boats and 31 on shore, formed a full circle around the crash site. Donaldson claims the FBI "...secretly searched for and found actual remains of the missile itself."

## KLINTOON SUED AGAIN

"A bipartisan group of seventeen members of Congress, including Rep. Ron Paul, will file a lawsuit on Friday, April 30, against President Bill Clinton for violating both the Constitution and the 1973 War Powers Resolution with regard to Yugoslavia," reported *Freedom Watch*.

Said Paul, *"This president has violated the law and he must be taken to task. It is a shame that Congress has not done more to stop the president from this destructive course. So it is therefore incumbent upon us to resort to the courts to force Mr. Clinton to follow his Oath of Office to uphold the Constitution and laws of the United States."*

## Party Time at the Great Pyramid of Cheops

The Millennium Society

Dear Mr. [deleted]

As a new member you are invited to the party of the century.

At sunset on December 31, 1999 an elite group of 1,500 Millennium Society guests will

arrive at the foot of The Great Pyramid of Cheops in Giza, Egypt. Dressed in black tie and ball gowns, our guests will travel by camel the last mile across desert sand dunes to a magnificent tent on a bluff overlooking all three of the Pyramids. It will be lighted by candelabras on white tablecloths and layered with Arabian carpets. There will be music and dancing, Arabian horses and belly dancers throughout the night. As midnight strikes around the globe we will be a major part of this historic celebration, linked to worldwide Millennium events commemorating the dawn of the new century.

**Welcome to The Millennium Society** -- the oldest and largest organization established to celebrate the year 2,000. You have joined an exciting group of outstanding people dedicated to international understanding and tolerance. We are a foundation about hope, vision and the rational exchange of ideas.

The Millennium Society is a worldwide 501(c)(3) charity founded in 1979 by a membership described by the *Wall Street Journal* as "versatile and exceptional young men and women from around the world". Non profit and non-political, Millennium's purpose is to mark the year 2,000 as a worldwide rallying point -- to celebrate our common heritage with an uncommon salute.

This is the year we've all been working towards, the party you can tell your grandchildren about.

Announcements will be sent out within the next month or so alerting you to spring and summer events in your area. These parties will enable you to meet with other members, learn more about the New Year's Eve events Millennium is sponsoring and tell you how to get involved.

Furthermore, as a Millennium member you will be entitled to nominate your personal heroes for Millennium's widely publicized list to the year's "10 Most Inspiring People," announced each year just prior to New Year's Eve.

As a new member of The Millennium Society you have not only helped secure an education for a promising young person but you have also secured an invitation to the official party of the year 2000. Welcome to Millennium.

Sincerely yours,

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## The Way Things Were...

To graduates of Newark Public Schools:

In this booklet the Newark Board of Education gives you copies of the Declaration of Independence, the Constitution of the United States of America, and the Constitution of the



State of New Jersey. The Declaration of Independence asserts our rights. The Constitution of the United States is the supreme law of the land, defining and guaranteeing those rights. The Constitution of the State of New Jersey is the supreme law of our state, setting forth the fundamental principles by which New Jersey as an independent state of the Union is governed.

These documents are fundamental in our lives as individuals and as citizens of New Jersey and of the United States. We should know them, treasure them, and respect them. Only by doing so can we pass our heritage of human liberty untarnished into the hands of future generations.

John H. Logan  
Superintendent of Schools

#### Chapter 54 of the Laws of 1925

1. The Board of Education of every school district in this State shall have printed and suitably bound, copies of the Declaration of Independence, the Constitution and amendments thereto of the United States, and the Constitution and amendments thereto of the State of New Jersey, and a copy of such book containing the Declaration of Independence, the Constitution of the United States, and the amendments thereto, the Constitution of the State of New Jersey, and amendments thereto, shall be presented to each pupil upon his or her graduation from any of the grammar schools in the several school districts of this State.

2. This act shall take effect immediately.  
Approved March 10, 1925

#### Letters

Christine Whitman, Governor of N.J.  
State House  
Trenton, N.J. 08650

Dear Governor Whitman:

Perhaps you have read in the newspapers that I am having a life and death battle with your Executive Branch and also with the Judicial Branch of government. If not, I am enclosing clippings from the Jan. 7,

*Bernardsville News* and the Jan. 19 *Star Ledger*.

You will notice in the *Star Ledger* article that on Dec. 18, 1998 before Superior Court Assignment Judge Diana I accused him of being "an accomplice and an accessory to a crime against me in an eminent domain case of ten years ago." As you know he should have immediately charged me with contempt of court and also with burden of proof. In essence he pleaded guilty by not responding.

I am also enclosing copies of my messages of Jan. 26 and Feb. 9, 1999 to those Bernards Township Committee Meetings. You will notice that I referred to the John Jacob Astor eminent domain case of several decades ago which property they failed to confiscate and on which property our Townhall now rests. You will note that I also referred to your more recent case in Atlantic City where you also failed to prove JUST CAUSE.

If your lawyer friends have failed to advise you, I am hereby advising you that the key to this case is the fact that I am not bound by the Social Security Insurance Contract nor by any other maritime contract.

Thus as, you know, "the supreme law of the land" guarantees to me a trial by jury in all cases.

If you persist in this matter and the Judicial system fails to respond to my very simple plea for a trial by jury, I shall have no alternative than to call out the New Jersey Militia!

Religiously your servant but  
politically your master,  
Irwin L. Richardt  
Liberty Corner, N.J. 07938  
cc H. Weiss, Criminal Case Manager, N.J.  
Superior Court; Bernards Township Committee  
and The Authorities, 'We-the-people'

Ed.: Get your stencil set and paperboard ready, guys. We might have some sign making to do.

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New Jersey Militia,

Here is a compilation of headnotes regarding various court cases [from the *Annotated Laws of Massachusetts*, C. 265, Sect. 37, Civil Rights Violations; Sentence and Punishment]. Please note that governments cannot impose a license, tax or fee on the exercise of a constitutionally protected right:

"A state may not, through a license tax, impose a charge for the enjoyment of a right granted by the Federal Constitution [in this case, the right to distribute religious tracts without a permit]." *Murdock v. Pennsylvania*, 319 US 105-140 [Ed.: our ignorant judiciary apparently is unaware that the Federal Constitution grants no rights; it simply recognizes *inalienable rights* that existed prior to the ratification of the Constitution.]

Note too how the courts must study the intent of the framers as expressed by the *Federalist Papers* and the First Congress:

"In construing the Federal Constitution, the interpretations of the First Congress are persuasive." -- *Franklin v. Massachusetts*, 120 L Ed 2d 636, 112 S Ct 2767, 92 CDOS 5553, 92 Daily Journal DAR 8897

Constitutional rights supersede statutory rights. State laws must first conform to the U.S. Constitution:

"Every state law must conform in the first place to the Constitution of the United States, and then to the subordinate constitution of the particular state; and if it infringes upon the provisions of either, it is so far void." -- *Houston v. Moore* 18 US 1, 5 L Ed 19

"In a situation in which a constitutional right comes into conflict with a statutory right, the former prevails." -- *Gray v. Mississippi*, 481 US 648, 107 S Ct 2045

Finally, "The legal obligation of public officers at common law is that they must perform the duties of their office honestly, faithfully, and to the best of their ability." -- *US v. Thomas*, 15 Wall 337

Our fellow members could make good use of this knowledge.

D.S.  
Massachusetts

**"In the beginning of change the patriot is a scarce man; brave, hated and scorned. When his cause succeeds, however, the timid join him, for then it costs nothing to be a patriot."**

--Mark Twain

**N J M, P.O. Box 10176, Trenton, NJ 08650**

**E-Mail: militia264@aol.com**

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